

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

JOSHUA DAVID LAMBERT,

Plaintiff,

v.

MIRIAM KASTLE, *et al.*,

Defendants.

Case No. C22-5470-RAJ

ORDER DISMISSING CIVIL RIGHTS  
ACTION

The Court, having reviewed Plaintiff's amended complaint, Defendants' motion for summary judgment, the Report and Recommendation of the Honorable S. Kate Vaughan, United States Magistrate Judge, any objections thereto, and the remaining record, hereby finds and ORDERS as follows:

(1) The Report and Recommendation is approved and adopted.

(2) Defendants' motion for summary judgment (Dkt. 22) is GRANTED.

(3) Plaintiff's amended complaint (Dkt. 10) and this action are DISMISSED. Counts two, three, eight, nine, ten and twelve of Plaintiff's amended complaint are dismissed with prejudice pursuant to Plaintiff's request for voluntary dismissal of these claims. Counts one and four of Plaintiff's amended complaint are dismissed with prejudice for failure to exhaust

ORDER DISMISSING CIVIL  
RIGHTS ACTION - 1

1 administrative remedies, and counts five, six, and seven are dismissed with prejudice for failure  
2 of Plaintiff to establish any violation of a federal constitutional right. Plaintiff's state law breach  
3 of contract claim is dismissed without prejudice.

4 (4) The Clerk is directed to send copies of this Order to Plaintiff, to counsel for  
5 Defendants, and to the Honorable S. Kate Vaughan.

6 DATED this 27th day of February, 2024.

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10 The Honorable Richard A. Jones  
11 United States District Judge  
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